

REMARKS

Reconsideration and allowance of the above-identified patent application are hereby requested. Claims 1-4, 6, 8-10, 12-18, and 27-35 are pending, with claims 1, 18, 27, and 34 being independent. Claim 11 has been canceled. Claims 1, 3, 12, 18, 27, and 34 have been amended. No new matter has been added. The Office's contentions are respectfully traversed.

Allowable Subject Matter

The Office (Action of March 23, 2010 at p. 17) notes that claim 11 stands objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form, including all of the limitations of the base claim. Independent claim 1 has been amended to include the subject matter of claim 11. Accordingly, claim 1 is believed to be in condition for allowance. Claims 2-4, 6, 8-10, and 12-17 depend from claim 1 and therefore are allowable at least based on claim 1.

Further, independent claims 18, 27, and 34 have been amended to include subject matter similar to that of claim 11. Therefore, independent claims 18, 27, and 34 are believed to be in condition for allowance. Claims 28-33 depend from claim 27 and thus are allowable at least based on claim 27. Claim 35 depends from claim 34 and thus is allowable at least based on claim 34.

Rejections under 35 U.S.C. § 103

Claims 1-4, 6, 8-10, 12-18, and 27-35 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Detlef (U.S. Patent No. 6,351,523) in view of Jiang et al. (U.S. Patent No. 7,092,370). It is noted that the Office (Action of March 23, 2010 at p. 5) lists only claims 1, 4-6, 8-10, 12-14, and 16-17 as being rejected, but specifies grounds for rejection with respect to claims 1-4, 6, 8-10, 12-18, and 27-35.

As discussed above, independent claims 1, 18, 27, and 34 have been amended to incorporate subject matter identified as allowable. Therefore, the rejection of claims 1-4, 6, 8-10, 12-18, and 27-35 are now believed to be moot.

Concluding Comments

The foregoing comments made with respect to the positions taken by the Examiner are not to be construed as acquiescence with other positions of the Examiner that have not been explicitly contested. Accordingly, the above arguments for patentability of a claim should not be construed as implying that there are not other valid reasons for patentability of that claim or other claims.

In view of the above remarks, claims 1-4, 6, 8-10, 12-18, and 27-35 are in condition for allowance and a formal notice of allowance is respectfully requested. Please apply a fee of \$130 for a one-month extension of time and any other necessary charges or credits to Deposit Account No. 50-5252.

Respectfully submitted,

Date: July 23, 2010 _____ /Brian Wacter/

Brian Wacter
Reg. No. 63,851